

Iraq Veteran Gunned Down At Home : Coverup? 95

By [Ghost32](#)

I'm not Barack Obama, so I won't say the police acted stupidly without knowing more, but...

On the morning of May 5, twenty-six year old Jose Guerena was awakened by his wife with word that there were men outside their Pima County (Arizona) home. The former Marine and veteran of two combat tours in Iraq was day sleeping after pulling a night shift for the Asarco Mission mine. He woke up fast, directed his wife to hide in a closet with their four year old son, grabbed an AR-15 rifle, and headed out to defend his family.

Iraq couldn't kill him. The mine job couldn't kill him. The hometown S.W.A.T. team that burst through his front door with no warning...that was another matter. Within moments, his lifeless body slumped face down on his own kitchen floor, riddled with--get this--**sixty** bullets.

His own rifle, the AR-15? **The safety was still on.**

The Sheriff's Department is investigating. Yeah, like that works. I can investigate myself all day long, and you know what? I'm going to determine that I'm just a mighty fine fellow who never, ever does anything wrong.

Unfortunately, this is liberal loudmouth Clarence Dupnik's turf. Had this happened in Phoenix, on conservative Sheriff Joe Arpaio's watch, the place would be crawling with investigators, journalists, Eric Holder himself, you name it--all digging with sharp little claws to find out what went wrong that morning. [Fernanda Echavarri](#) of the Arizona Daily Star has done a fine job of reporting this story, but the details we *do* know cry out for more.

In the meantime, I've got a few random questions and observations.

1. QUESTION: Why were the police dispatchers who took Vanessa Guerena's 911 call (begging medical assistance for her downed husband after the shooting) unable to quickly determine whether or not the Guerena home address was one of those on the list to be raided that morning?

1a. COMMENT: Here's a thought: How about because it **wasn't** on that list? Does it make sense that any S.W.A.T. team would be dispatched to a location unknown to the dispatchers? Just saying. And if it wasn't on the list, the scramble at Dispatch suddenly makes sense. If that turns out to be the case, the man's death was decreed by a clerical error.

2. QUESTION: If Jose Guerena **was** on the Sheriff's target list, then **why?** He joined the Marines at a young age, pulled his hitch, got his discharge, and went to work in the mine, supporting a young family with a clear and obvious means of support that would have left little time for nefarious activities.

2a. COMMENT: It's going to take some extremely serious evidence to convince this old cowboy that Guerena deserved a shoot-on-sight order, with or without a weapon in his hand. Our troops in Afghanistan are not allowed to shoot bomb-planting terrorists unless the terrorists shoot first, yet here in America the police are authorized to mow down (without warning) **a citizen in his own home** who



Jose Guerena.

hasn't even taken the safety off his rifle? Oh, now **there's** a bit of balance for you; yes indeed.

3. QUESTION: Why 71 (at least) rounds fired by S.W.A.T. with **60** of them hitting Guereña? It only took **two** to terminate Osama bin Laden, for Pete's sake! They couldn't tell after, oh, say, 55 bullets or so that the perforated fellow on the floor was no longer (if he ever was) a threat?

3a. COMMENT: The Sheriff's Dept. spokesman has assured us that, by golly, five S.W.A.T. officers could and did unload that amount of ordnance in a mere seven seconds. Uh-huh. Okay; let's go with that. I used to rodeo professionally. An eight second bull ride in the middle of all that adrenaline lasts approximately as long as, let's say--not eternity, but close enough. These guys aren't taught to double-tap? Just keep panic-pulling till the slide locks open? Sorry. Not buying it.



Jose's widow, Vanessa Guereña.

4. QUESTION: That same spokesman quoted the former Marine as being in a crouched position, pointing his rifle at the officers, and saying, "I've got something for you." My question on this one is, **Is there anybody residing in these United States of America dumb enough to believe that one?!!**

4a. COMMENT: (For those who didn't understand my question.) "I've got something for you." Who says something like that when faced with armored and heavily armed enemies in superior numbers? **NOT NO FREAKING COMBAT-EXPERIENCED EX-MARINE, THAT'S WHO!!**

Marines don't go around talking smack during combat. If this whole thing hadn't reeked of FUBAR coverup from the get-go, that idiotic "quote" would have done it all by itself. Not to mention that he wasn't talking to S.W.A.T. up to the moment of his death; **he was on the cell phone talking to his wife**...until he could speak no more.

Mr. Lying-out-his-butt Spokesperson, one Lt. Michael O'Connor, also stated that, oh yeah, they found some stuff in the home that linked this residence to three others, drug happenings, you betcha. But when pinned down by a reporter, he admitted the "oversized" paraphernalia was found elsewhere and wouldn't (or couldn't) say what specifically had been found in the Guereña residence.

Which conflicts with early reports claiming the police had found "drugs and money". Now it's only "something" that "links" the Marine's home with others under investigation.

Yeah, ri-i-ight.

If it looks like a coverup, sounds like a coverup, and smells like a coverup....

Enough for now. While I would love to see Arizona Attorney General Tom Horne get involved in this investigation, I'm not holding my breath. But I do want to close with this:

Jose Guereña, thank you for your service.

UPDATE: May 18, 2011

Arizona Daily Star #1:

Sheriff's Dept. puts a lid on Geureña-shooting info

Will say no more in SWAT killing on southwest side

By Fernanda Echavarri

Echavarri is the journalist whose reporting gave us most of the information we know today about the killing. Clearly, Dupnik's crew has been given orders not to talk to her (or to anyone else in the media)

until further notice. Her article in today's paper goes on to say that records pertaining to the case have been sealed, no one from the Sheriff's Department will comment until the investigation is concluded, nobody's saying when that will be...and (through a spokesman) Sheriff Dupnik has declined an interview request by the Star.

Arizona Daily Star #2:

In the same paper, there is an editorial titled:

SWAT officers' 71 gunshots require an explanation

OUR VIEW: Alarming wall of silence surrounds death of ex-Marine in his home

In this piece, the Editors give Fernanda Echavarri full credit for her reporting on the incident. Additionally, they pose a number of questions that need answering, to wit (emphasis mine):

--**What** were SWAT officers looking for with the search warrant?

--Did they **find** anything illegal?

--**Why** did it take so long--about four minutes--for 911 dispatchers to figure out **if** Guerena's address was on the list of search warrants being served that morning?

--**Why** did officers shoot at Guerena, who had not fired his gun, **71 times**?

--**Why** were emergency medical personnel kept out of the home for approximately an **hour**, even though his wife was pleading for help? Guerena was dead when they were finally allowed in.

--**Why** were search warrants **sealed** after the shooting, and was that done according to legal procedures?

In closing, a serious nod of appreciation to The Arizona Daily Star and to reporter Fernanda Echavarri for your efforts on this story. **THANK YOU**, and keep up the good work.

UPDATE: May 20, 2011

The Arizona Daily Star comes through again--with, as before, reporter Fernanda Echevarri at the tip of the spear. Excerpts from her most recent article, each followed by my commentary:

The man shot and killed by Pima County SWAT officers was linked to a home-invasion crew, the attorney representing the officers said Thursday.

Let's remember, the first version of the fairy tale was that the officers found "drugs and money". That changed to "oversized drug paraphernalia" which, the Department spokesman admitted under a reporter's questioning, was found in another residence entirely, not Guerena's. Now we're being asked to believe this full-time night shift mine worker was "linked" to a home invasion crew.

Folks, I've **worked** full time night shift in a mine. If Jose Guerena had the energy to handle that kind of job plus go around assaulting homeowners (You know, like S.W.A.T. assaulted Jose; note the clumsy attempt at implying he who lives by invasion dies by invasion)...if he could pull that off, he was Superman. In which case the bullets would have bounced off, and he'd be alive today.

Attorney Michael Storie said authorities found rifles, handguns, body armor and a portion of a law-enforcement uniform inside the house....

Yeah? So? You'll notice they're not claiming they found anything **illegal**. I'd expect to find firearms in any military veteran's home in America; wouldn't you? The "portion of a law-enforcement uniform", now that does admittedly make me curious. Anybody on the S.W.A.T. team missing a pair of shorts, perhaps?

All five SWAT members were shooting from just outside the home and never

entered the house, Storie (the attorney for the five S.W.A.T. team members) said.

Say what? Excuse me; I'm just trying to picture this. What were they doing, standing around in the front yard and popping off rounds into the home? How does the earlier statement that one S.W.A.T. team member's gun "misfired" (which no doubt means he yanked the trigger when he shouldn't have) and blasted chips from the doorframe--which then landed on one guy's shield and convinced the other's he'd been hit--fit into the arrangement?

This just gets curiouser and curiouser.

The five officers Storie is representing are from the Sahuarita, Marana and Oro Valley police departments, and two from the Sheriff's Department. The sheriff's SWAT team is made up of officers from different agencies.

Wait a minute. They're saying that this five member S.W.A.T. team was actually a cobbled-together bunch of guys from four different law enforcement agencies? You know, like...everybody's leftovers?

Oh, man. How much of a recipe for disaster is that?

Christopher Scileppi, the attorney for the Guerena family, summarized the defense attorney's statements rather well:

Scileppi said it took two weeks for "the fourth version of the story" and these details to emerge because "they needed to put a story out that is going to protect them."

"Bottom line is they've had two weeks to construct a story, circle the wagons," Scileppi said.